

S.R. 425 - By Kothmann: Extending congratulations to the Roosevelt High School basketball team.

S.R. 426 - By Caperton: Extending congratulations to the Bryan Vikings.

S.R. 427 - By Caperton: Extending congratulations to the Snook Bluejays.

S.R. 428 - By Harris: Extending welcome to students from the Edwin L. Cox School of Business, Southern Methodist University.

S.R. 429 - By Doggett: Recognizing the week of April 11-15, 1983, as Exceptional Children's Week.

S.R. 430 - By Doggett: Commending Mrs. Eva Marie Mosby.

ADJOURNMENT

On motion of Senator Mauzy, the Senate at 12:19 o'clock p.m. adjourned until 11:00 o'clock a.m. Monday, April 11, 1983.

APPENDIX

Sent to Comptroller
(April 7, 1983)

S.B. 121

Sent to Governor
(April 7, 1983)

S.B. 185

S.B. 220

FORTY-EIGHTH DAY (Monday, April 11, 1983)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Blake, Brooks, Brown, Caperton, Doggett, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Jones, Kothmann, Leedom, Mauzy, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Vale, Whitmire, Williams.

Absent-excused: Lyon, Washington.

A quorum was announced present.

Senator Parmer's father, the Reverend Quay Parmer, Retired Minister, United Methodist Church, Arlington, offered the invocation as follows:

Dear God and Father of us all, before whom all hearts are open and from whom no desires are hid, may these moments spent in this chamber be not an exercise in the futility of the conventional or that which is simply customary. Indeed Lord, let this moment make us aware of Thy majesty and glory, the source of all law and power. May we realize anew that Kings, Presidents, Governors and Senators alike are accountable unto Thee.

S.B. 1308 by Blake Administration
 Relating to the authority of the governor to appoint an agent to sign for the governor or use the governor's signature on certain documents relating to criminal justice.

S.B. 1309 by Montford, Lyon Natural Resources
Relating to the creation, implementation, administration, and operation of the Texas Agricultural Water Conservation Loan Program.

S.B. 1310 by Brooks Natural Resources
Amending Chapter 341, Acts of the 57th Legislature, Regular Session, 1961, as amended (Article 1187f, Vernon's Texas Civil Statutes); relating to the rights, powers, authority, privileges, and functions of cities and towns on the Gulf of Mexico or connecting waters regarding harbor, wharf, dock and port facilities; containing other provisions relating to the subject; and declaring an emergency.

S.B. 1311 by Mauzy Jurisprudence
Relating to the election of judges to the court of criminal appeals from single-member districts.

S.B. 1312 by Santiesteban Intergovernmental Relations
Relating to municipal courts of record in El Paso and creation of the El Paso Municipal Court of Appeals.

S.C.R. 64 by Brown Natural Resources
Creating the Joint Committee to Study Performance Standards for Hazardous Waste Sites.

S.C.R. 65 by Doggett Administration
Granting William E. Anderson permission to sue the State.

S.C.R. 66 by Brooks Health and Human Resources
Directing the Central Education Agency, Texas Department of Human Resources, Texas Department of Mental Health and Mental Retardation, Department of Health and Texas Rehabilitation Commission to adopt certain definitions as stated in the third edition of the Diagnostic and Statistical Manual.

S.C.R. 67 by Brooks Health and Human Resources
Directing the boards of the Texas Department of Mental Health and Mental Retardation and the Central Education Agency to develop rules relating to services provided to persons having certain developmental disorders.

S.C.R. 68 by Brooks Health and Human Resources
Directing the State Board of Education to develop the Individual Educational Plans for students with certain developmental disorders.

S.C.R. 69 by Brooks Health and Human Resources
Directing the Texas Rehabilitation Commission, Central Education Agency and Texas Department of Mental Health and Mental Retardation to develop a plan and interagency agreement addressing vocational training program standards for persons having certain developmental disorders.

S.C.R. 70 by Brooks Health and Human Resources
Directing the Texas Department of Health and Texas Department of Mental Health and Mental Retardation to develop licensing standards for residential facilities serving persons having certain developmental disorders.

S.C.R. 71 by Brooks Health and Human Resources
Directing the Central Education Agency and Texas Department of Mental Health and Mental Retardation to develop training program standards and curriculum for families with relatives having certain developmental disorders.

S.C.R. 72 by Brooks Health and Human Resources
Encouraging the Texas Department of Mental Health and Mental Retardation and Texas Department of Human Resources to develop respite care services for persons having certain developmental disorders.

HOUSE RESOLUTION ON FIRST READING

The following resolution received from the House was read the first time and referred to the Committee indicated:

H.C.R. 85, To Committee on Health and Human Resources.

BILLS AND RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bills and resolutions:

S.B. 351
S.B. 251
S.B. 249
S.B. 236
S.B. 27
S.C.R. 56
S.C.R. 2

REPORTS OF STANDING COMMITTEES

Senator Harris submitted the following report for the Committee on Economic Development:

S.B. 996
S.B. 661
S.B. 1141 (Amended)
C.S.S.B. 255 (Read first time)
C.S.S.B. 961 (Read first time)

Senator Parker submitted the following report for the Committee on Education:

S.B. 326
S.B. 359
S.B. 463
S.J.R. 12
S.B. 383
C.S.S.B. 384 (Read first time)

HOUSE CONCURRENT RESOLUTION 36

The President laid before the Senate the following resolution:

H.C.R. 36, Inviting President Ronald Reagan to address the Legislature.

The resolution was read.

On motion of Senator Harris and by unanimous consent, the resolution was considered immediately and was adopted.

HOUSE CONCURRENT RESOLUTION 37

The President laid before the Senate the following resolution:

H.C.R. 37, Inviting Vice-President George Bush to address the Legislature.

The resolution was read.

On motion of Senator Henderson and by unanimous consent, the resolution was considered immediately and was adopted.

SENATE RESOLUTION 433

Senator Sims offered the following resolution:

S.R. 433, In memory of Tol Terrell.

The resolution was read.

On motion of Senator Mauzy and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Sims and by unanimous consent, the resolution was considered immediately and was adopted.

GUESTS PRESENTED

Senator Sims presented Mrs. Terrell and her children, Mrs. Mary Nell Cummins, Mrs. Suzanne Mitchell, Charles Terrell and Hal Terrell.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on State Affairs, Subcommittee on Nominations:

Austin, Texas
April 11, 1983

TO THE SENATE OF THE SIXTY-EIGHTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

TO BE A MEMBER OF THE PUBLIC SAFETY COMMISSION:

For a term to expire December 31, 1987:

SHANNON RATLIFF

3509 Hampton Road

Austin, Texas

(Mr. Ratliff is replacing Mr. William B. Blakemore II, of Midland, Midland County, Texas, who was not confirmed by the Senate.)

TO BE A MEMBER OF THE TEXAS MINING COUNCIL:

For a term to expire May 8, 1983:

ROBERT L. ARMSTRONG

6627 Valleyside Road

Austin, Texas 78731

(Mr. Armstrong is replacing Mr. Robert Lee Monaghan of Midland, Midland County, Texas, whose appointment was returned to this Governor.)

TO BE A MEMBER OF THE TEXAS SURPLUS PROPERTY AGENCY:

For a term to expire March 19, 1989:

ROBERT A. LANSFORD

State Coordinator

Division of Emergency Management

DPS Building, 5805 N. Lamar

Austin, Texas 78773

(Mr. Lansford is being reappointed.)

Respectfully submitted,

/s/Mark White
Governor of Texas

SENATE BILL 10 WITH HOUSE AMENDMENT

Senator Mauzy called **S.B. 10** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.
Amendment No. 1 - A. Hill

Amend **S.B. 10** on page 1, line 17, after "treasurer" by inserting: "or, if the county does not have a county treasurer, to the county officer who succeeds to the treasurer's functions".

The amendment was read.

Senator Mauzy moved to concur in the House amendment.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Lyon, Washington.

SENATE BILL 98 WITH HOUSE AMENDMENTS

Senator Traeger called **S.B. 98** from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.
Amendment No. 1 - Eikenburg

Amend **S.B. 98** on page 5, line 23, by adding the words "the Texas Department of Health," after the phrase "the State Department of Health."

Amendment No. 2 - Eikenburg

Amend **S.B. 98** on Page 2, line 15 by placing a period after appointment and deleting the words one of whom must be a doctor of osteopathy.

Amendment No. 3 - Polk

Amend **S.B. 98** on page 5, line 16 by adding the words "in writing" after the word "delegate".

The amendments were read.

Senator Traeger moved to concur in the House amendments.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Lyon, Washington.

SENATE BILL 358 ON THIRD READING

Senator Sarpalius moved to suspend the regular order of business to take up for consideration at this time on its third reading and final passage:

S.B. 358, Relating to the issuance of certificates of indebtedness by general-law cities and towns to fund certain court judgments.

The motion prevailed by the following vote: Yeas 22, Nays 7.

Yeas: Brooks, Caperton, Edwards, Farabee, Glasgow, Henderson, Howard, Jones, Kothmann, Leedom, McFarland, Montford, Parker, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Whitmire, Williams.

Nays: Blake, Brown, Doggett, Harris, Mauzy, Parmer, Vale.

Absent-excused: Lyon, Washington.

The bill was read third time and was finally passed by the following vote: Yeas 22, Nays 7. (Same as previous roll call)

MOTION TO PLACE SENATE BILL 586 ON THIRD READING

Senator Williams moved to suspend the regular order of business to take up for consideration at this time on its third reading and final passage:

S.B. 586, Relating to increasing the membership of the Parks and Wildlife Commission.

The motion was lost by the following vote: Yeas 16, Nays 13. (Not receiving two-thirds vote of the Members present)

Yeas: Brooks, Caperton, Doggett, Edwards, Farabee, Kothmann, Mauzy, Parker, Parmer, Santiesteban, Sharp, Truan, Uribe, Vale, Whitmire, Williams.

Nays: Blake, Brown, Glasgow, Harris, Henderson, Howard, Jones, Leedom, McFarland, Montford, Sarpalius, Sims, Traeger.

Absent-excused: Lyon, Washington.

SENATE BILL 928 ON SECOND READING

On motion of Senator Jones and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 928, Relating to the continuation of the State Board of Insurance.

The bill was read second time.

Senator Jones offered the following committee amendment to the bill:

Amend **S.B. 928** by striking Section 2 in its entirety and substituting the following:

SECTION 2. Chapter 1, Insurance Code, is amended by adding Articles 1.06A and 1.06B to read as follows:

Art. 1.06A. CONFLICT OF INTEREST. A member of the State Board of Insurance, the Commissioner of Insurance, or an employee of the State Board of Insurance may not be an officer, employee, or paid consultant of a trade association in the insurance industry.

Art. 1.06B. LOBBYING ACTIVITIES. A person who is required to register as a lobbyist under Chapter 22, Acts of the 63rd Legislature, Regular Session, 1973 (Article 6252-9c, Vernon's Texas Civil Statutes), by virtue of his activities for compensation in or on behalf of a profession related to the operation of the board may not serve as a member of the board or act as the general counsel to the board.

The committee amendment was read and was adopted.

Senator Jones offered the following committee amendment to the bill:

Amend **S.B. 928** on page 4 by deleting lines 3 through 7 and inserting in lieu thereof the following:

“(b) The Board shall cause the Texas premium and loss information contained in the annual statement of companies to be arranged in tabular form and printed in a single document. This document shall be filed by the Board with the Legislative Reference Library and the State Library along with the Board's annual report and the Legislature shall be notified of the availability of both reports.”

The committee amendment was read and was adopted.

Senator Jones offered the following committee amendment to the bill:

Amend Section 8 of **S.B. 928** by striking and deleting therefrom Article 1.35 as it appears on page 5, lines 4-13, and the words "and 1.35" on page 4, line 23.

The committee amendment was read and was adopted.

Senator Jones offered the following committee amendment to the bill:

Amend **S.B. 928** on page 29, line 10 by striking "MOTOR VEHICLE INSURANCE" and inserting before "TAX" the word "MAINTENANCE"; and by inserting the word "maintenance" on line 12 before the word "tax".

The committee amendment was read and was adopted.

Senator Jones offered the following committee amendment to the bill:

Amend **S.B. 928** by inserting the word "maintenance" before the word "tax" on the following pages and lines:

page 30, lines 25 and 27
page 32, lines 12 and 14
page 34, line 25
page 35, line 1
page 36, lines 20 and 22
page 38, lines 6 and 8
page 61, line 4

The committee amendment was read and was adopted.

Senator Jones offered the following committee amendment to the bill:

Amend **S.B. 928** on page 35, line 1 by striking the word "or" after the word "exchange" and inserting in lieu thereof the word "and".

The committee amendment was read and was adopted.

Senator Jones offered the following committee amendment to the bill:

Amend **S.B. 928** on page 56, by striking on line 11 the "s" on the word "Articles" and by striking on line 12, "4.03 and".

The committee amendment was read and was adopted.

Senator Jones offered the following committee amendment to the bill:

Amend **S.B. 928** on page 68, line 11 by inserting after "on" and before "renewal" the following: "each subsequent"

and by striking on line 12 the following: "on the new expiration date."

The committee amendment was read and was adopted.

Senator Jones offered the following committee amendment to the bill:

Amend **S.B. 928** on the following pages and lines by striking the words "Commissioner of Insurance" and inserting in lieu thereof "State Fire Marshal":

page 75, line 22
page 76, lines 13, 15 and 16, 21, 24
page 79, lines 24, 26 and 27
page 80, lines 2, 5, 8.

The committee amendment was read and was adopted.

Senator Jones offered the following committee amendment to the bill:

Amend **S.B. 928** on page 78, line 16 by inserting at the end of the line, the following: "deleting Section 5A, Subsection (b) and".

The committee amendment was read and was adopted.

Senator Jones offered the following committee amendment to the bill:

Amend **S.B. 928**, Section 78, at page 112, by deleting line 13, and inserting in lieu thereof the following:

"adding Sections 5b and 7a to read as follows:" ;

and, at page 113, by deleting lines 7 through 10.

The committee amendment was read and was adopted.

Senator Jones offered the following committee amendment to the bill:

Amend **S.B. 928** by deleting Section 92 in its entirety and renumbering all subsequent sections.

The committee amendment was read and was adopted.

On motion of Senator Jones and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 928 ON THIRD READING

Senator Jones moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 928** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Lyon, Washington.

The bill was read third time and was passed.

COMMITTEE SUBSTITUTE SENATE BILL 112 ON SECOND READING

On motion of Senator Sarpalius and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 112, Relating to technical-vocational education and to the continuation of the Advisory Council for Technical-Vocational Education.

The bill was read second time.

Senator Leedom offered the following amendment to the bill:

Amend **C.S.S.B. 112** by changing SECTION 4, Subsection (a) of Section 31.12 to read as follows:

"Section 31.12. Membership. (a) The council consists of 24 [25] members appointed by the State Board of Education after recommendation by the governor [~~and subject to confirmation by the Senate~~]."

The amendment was read.

On motion of Senator Doggett, the amendment was tabled by the following vote: Yeas 23, Nays 6.

Yeas: Blake, Brooks, Brown, Caperton, Doggett, Edwards, Farabee, Glasgow, Howard, Jones, Kothmann, Mauzy, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Traeger, Truan, Uribe, Vale, Whitmire, Williams.

Nays: Harris, Henderson, Leedom, McFarland, Montford, Sims.

Absent-excused: Lyon, Washington.

Senator Glasgow offered the following amendment to the bill:

Amend C.S.S.B. 112 by striking subsection (b) of Section 8.

The amendment was read and was adopted.

Senator Jones offered the following amendment to the bill:

Amend C.S.S.B. 112 by striking lines 41-45 on page 3 and substituting the following in lieu thereof:

Sec. 31.22. LOBBYING ACTIVITIES. A person who is required to register as a lobbyist under Chapter 422, Acts of the 63rd Legislature, Regular Session, 1973 (Article 6252-9c, Vernon's Texas Civil Statutes), by virtue of his activities for compensation in or on behalf of a profession related to the operation of the council may not serve as a member of the council or act as the general counsel to the council.

The amendment was read and was adopted.

On motion of Senator Sarpalius and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 112 ON THIRD READING

Senator Sarpalius moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 112 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Lyon, Washington.

The bill was read third time and was passed.

SENATE BILL 448 ON SECOND READING

On motion of Senator Caperton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 448, Amending the Texas Unemployment Compensation Act, as amended (Articles 5221b-1 et seq., Vernon's Texas Civil Statutes), to conform to the provisions of Public Law 97-35 and Public Law 97-248, as follows: adding Subsection (d) to Section 4-A, providing for prohibitions against denial of benefits; amending Subsection (a) of and adding Subsections (i) and (j) to Section 6-A, providing for extended benefits; amending Section 15, providing for protection of rights and benefits; providing for the repeal of all laws and parts of laws in conflict herewith and for preserving rights accrued thereunder; providing for the severability of provisions; and declaring an emergency.

The bill was read second time.

Senator Caperton offered the following amendment to the bill:

Amend **S.B. 448** by Caperton by amending SECTION 4, Section 15 (d) (8) to read as follows:

“(8) The term ‘state or local child support enforcement agency’ as used in these provisions means any agency of this State or a political subdivision thereof operating pursuant to a plan described in subdivision (7) of this subsection, thereof operating pursuant to a plan described in subdivision (7) of this subsection.

The Legislature declares that the preceding portion of this Subsection (d) and the last paragraph of Subsection (c) immediately above are enacted because Section 303(e) of the Social Security Act requires these provisions in state law as a condition for federal funding of administration of the state unemployment compensation laws; and it further declares that if Section 303(e) of the Social Security Act is repealed, the preceding portion of this Subsection (d) and the last paragraph of Subsection (c) immediately above shall no longer have any force and effect.”

The amendment was read and was adopted.

On motion of Senator Caperton and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 448 ON THIRD READING

Senator Caperton moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 448** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Lyon, Washington.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

MESSAGE FROM THE HOUSE

House Chamber

April 11, 1983

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 84, Requesting the State Board of Insurance to study the feasibility of requiring optional health insurance coverage of pregnancy-related expenses incurred by dependent minor children of policyholders.

H.B. 825, Relating to the definitions, registration, and certification of motorcycles, motor-driven cycles, and mopeds.

H.B. 1020, Relating to nomination for and election to the office of county school trustee in certain counties.

H.B. 1174, Relating to mutual consent voluntary adoption registries and the maintenance and confidentiality of, and access to, adoption records and birth certificates; providing penalties.

H.B. 1346, Relating to regulation of the in situ recovery of tar sands.

H.B. 1352, Relating to levying a surtax on employers for the payment of interest owed to the federal unemployment trust fund.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

SENATE BILL 815 ON SECOND READING

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 815, Relating to a bond or other security for securing school district funds deposited in a bank.

The bill was read second time and was passed to engrossment.

SENATE BILL 815 ON THIRD READING

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 815** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Lyon, Washington.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

SENATE BILL 470 ON SECOND READING

Senator Doggett asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

S.B. 470, Relating to tort liability of units of government.

There was objection.

Senator Doggett then moved to suspend the regular order of business and take up **S.B. 470** for consideration at this time.

The motion prevailed by the following vote: Yeas 21, Nays 8.

Yeas: Brooks, Brown, Caperton, Doggett, Edwards, Glasgow, Henderson, Kothmann, Mauzy, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Truan, Uribe, Vale, Whitmire, Williams.

Nays: Blake, Farabee, Harris, Howard, Jones, Leedom, Sims, Traeger.

Absent-excused: Lyon, Washington.

The bill was read second time and was passed to engrossment by the following vote: Yeas 22, Nays 7.

Yeas: Brooks, Brown, Caperton, Doggett, Edwards, Glasgow, Henderson, Kothmann, Mauzy, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Traeger, Truan, Uribe, Vale, Whitmire, Williams.

Nays: Blake, Farabee, Harris, Howard, Jones, Leedom, Sims.

Absent-excused: Lyon, Washington.

SENATE BILL 741 ON SECOND READING

On motion of Senator Harris and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 741, Relating to the regulation of bingo; providing penalties.

The bill was read second time and was passed to engrossment.

SENATE BILL 741 ON THIRD READING

Senator Harris moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 741** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Lyon, Washington.

The bill was read third time and was passed.

SENATE BILL 655 ON SECOND READING

On motion of Senator Traeger and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 655, Relating to administration of, contributions to, and service and benefits under, the fire fighters' relief and retirement fund.

The bill was read second time and was passed to engrossment.

SENATE BILL 655 ON THIRD READING

Senator Traeger moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 655** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Lyon, Washington.

The bill was read third time and was passed.

HOUSE BILL ON FIRST READING

The following bill received from the House was read the first time and referred to the Committee indicated:

H.B. 1352, To Committee on State Affairs.

SENATE RULE 103 SUSPENDED

On motion of Senator McFarland and by unanimous consent, Senate Rule 103 was suspended in order that the Committee on State Affairs might consider **H.B. 1352** today.

MEMORIAL RESOLUTIONS

S.R. 435 - By Parker: Memorial resolution for Ronald Earl Smith.

S.R. 439 - By Sims: Memorial resolution for Albert Charles Abel.

S.R. 440 - By Sims: Memorial resolution for Darrel Allen Alley.

S.R. 441 - By Sims: Memorial resolution for Jimmie McManus.

S.R. 442 - By Jones and Sims: Memorial resolution for J. B. McCord.

WELCOME AND CONGRATULATORY RESOLUTIONS

H.C.R. 140 - (Vale): Congratulating San Antonio, named All-American City.

S.C.R. 60 - By McFarland: Extending congratulations to the Kroger Company on the occasion of its 100th anniversary.

S.R. 434 - By Parker: Extending congratulations to the Port Arthur Jefferson Yellow Jackets.

S.R. 436 - By Sharp: Commending Johnny Preston for his courage.

S.R. 438 - By Sarpalius: Extending congratulations to the Dimmitt High School Bobcat basketball team.

ADJOURNMENT

On motion of Senator Brooks, the Senate at 12:33 o'clock p.m. adjourned until 11:00 o'clock a.m. tomorrow.

APPENDIX

Signed by Governor
(April 6, 1983)

H.C.R. 4

H.C.R. 14

H.C.R. 144

Sent to Governor
(April 11, 1983)

S.B. 121

**In Memory
of
Judge Roy Mark Hofheinz**

Senator Brooks offered the following resolution:

(Senate Resolution 437)

WHEREAS, Judge Roy Mark Hofheinz died on November 21, 1982, at the age of 70, and with the death of this distinguished Houston citizen, the state lost a dynamic Texan and a dedicated public servant; and

WHEREAS, During his 40 years in public life, Judge Hofheinz served the people of Houston as mayor, as county judge, and as state legislator, and his legacy to the city he loved so much is the Astrodome; and

WHEREAS, Born on April 10, 1912, in Beaumont, he moved to Houston with his family when he was 11; he later attended Rice Institute and Houston Junior College, now known as Rice University and the University of Houston, before entering Houston Law School; and

WHEREAS, In 1934, at the age of 22, this outstanding gentleman won a seat in the Texas House of Representatives, where he capably served during the 44th Legislature; and

WHEREAS, During his term in office, Judge Hofheinz first began to demonstrate his great ability as a persuasive and powerful public speaker, earning the name "boy orator from Buffalo Bayou"; and

WHEREAS, He subsequently was elected county judge in 1938, an office he held for eight years; and

WHEREAS, While serving in this capacity, this outstanding administrator was instrumental in securing legislation enabling Harris County to build roads by a special tax levy, and he was responsible for the establishment of a flood control district and the construction of two free tunnels under the Houston Ship Channel; and

WHEREAS, In 1944, after retiring temporarily from public life, Judge Hofheinz devoted his time to several real estate and radio interests he maintained; and

WHEREAS, He returned to the political arena in 1952, winning the first of two consecutive terms as mayor of Houston; under his administration, the foundations were laid for many public works projects that were continued in following administrations; and

WHEREAS, Judge Hofheinz, who was well known as a man of great vision, was first inspired to consider the possibility of a domed, enclosed sports arena while touring the ruins of the Coliseum in Rome in 1960; and

WHEREAS, Through his diligent work and promotion, the Astrodome was completed in 1965 and became home for the Houston Astros; and

WHEREAS, The Astrodome complex was soon expanded to include Astroworld, a \$26 million amusement park, and several hotels and motels for visiting guests; and

WHEREAS, The Honorable Kathy Whitmire, mayor of Houston, praised Judge Hofheinz's "gift for turning dreams into reality," and she said of him, "His accomplishments as an elected public servant and as a private citizen provide a legacy few will ever match. As we reflect on his life, we recognize the contributions he has made to the greatness of our city"; and

WHEREAS, The city of Houston benefitted greatly from this exceptional man's ceaseless energies, exemplary public service, and many noteworthy achievements, and he will be deeply missed by Texans throughout the state; now, therefore, be it

RESOLVED, That the Senate of the 68th Legislature of the State of Texas hereby pay tribute to the life of Roy Mark Hofheinz and extend sympathy to the members of his family: to his wife, Mary Frances Hofheinz; to his sons, Roy Mark Hofheinz, Jr., and Fred Hofheinz, both of Houston; to his daughter, Dene Hofheinz Anton of Houston; and to his six grandchildren; and, be it further

RESOLVED, That official copies of this resolution be prepared for the members of his family, and that when the Texas Senate adjourns this day, it do so in memory of Judge Hofheinz.

The resolution was read.

On motion of Senator Williams and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Brooks and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.